

September 30, 2025

Via ECF

Hon. Gary R. Brown
Hon. James M. Wicks
United States District Court, Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Barry Berler vs. Sharps Technology, Inc. and Alan Blackman, 24-cv-04787-GRB-JMW

Dear Judge Brown and Magistrate Judge Wicks:

We represent plaintiff Barry Berler (“Plaintiff”) and third-party defendants Plasto Design, Ltd., Plasto Design Solutions and Plastomold Industries Ltd. (the “Third-Party Defendants”) in the above-referenced action (the “Action”). We write jointly with counsel for defendant Sharps Technology, Inc. (“Defendant”) to report to the Court that the parties are close to a final settlement agreement which the parties expect will be executed this week, and which will lead shortly thereafter to the discontinuance of the Action.

By way of brief background, on July 24, 2025, during a conference, Judge Brown held all motions and deadlines in abeyance without date so the parties could focus on ongoing settlement discussions. Thereafter, the parties executed a term sheet that contemplated the execution of a final settlement agreement, which the parties have been negotiating and which is near completion. The Court directed the parties to submit a joint status report by September 30, 2025. During a conference with Magistrate Judge Wicks on September 9, 2025, the parties reported the foregoing to the Court, and Magistrate Judge Wicks also directed the parties to submit a joint status report by September 30, 2025.

Given that the parties are close to a final settlement agreement, which is expected this week, the parties respectfully request that all discovery and scheduling deadlines continue to be held in abeyance. This includes the deadline for Third-Party Defendants to answer Defendant’s Third-Party Complaint, which is adjourned for an additional 30 days.

We once again thank the Court for its time and attention and for making the impending settlement possible.

Respectfully submitted,

/s/Mordecai Geisler

cc: All appearing counsel